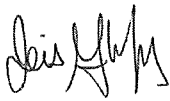


Approved: 
 Qais Ghafary
 Assistant United States Attorney

Before: HONORABLE ANDREW E. KRAUSE
 United States Magistrate Judge
 Southern District of New York

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

- - - - -	x	
	:	
UNITED STATES OF AMERICA	:	<u>COMPLAINT</u> 21mj 9156
	:	
- v. -	:	Violations of 18
	:	U.S.C. §§ 2251(a) and
KRISCIA VASQUEZ,	:	2
	:	
Defendant.	:	COUNTY OF OFFENSE:
	:	WESTCHESTER
- - - - -	X	

SOUTHERN DISTRICT OF NEW YORK, ss.:

KARMA M. SMITH, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE
 (Production of Child Pornography)

1. From in or about April 2021 through in or about September 2021, in the Southern District of New York and elsewhere, KRISCIA VASQUEZ, the defendant, unlawfully, willfully and knowingly employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and the defendant knew and had reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in or affecting interstate and foreign commerce and mailed, and the visual depiction would be produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means including by computer, to wit, VASQUEZ, while in Westchester County, communicated with a 14-year-old minor (the "Minor") online and used, persuaded, and

directed the Minor to take and send sexually explicit visual depictions of the Minor to VASQUEZ.

(Title 18, United States Code, Sections 2251(a) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with the FBI and have been so employed for approximately 19 years. I am assigned to the FBI's Westchester Safe Street Task Force which is charged with enforcing federal laws, including the prohibition of child pornography and other forms of child exploitation. As such, I have worked on numerous investigations and prosecutions involving minor victims and those who victimize these children. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of documents, reports, and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my discussions with a law enforcement member of the FBI, I know that on or about September 21, 2021, the FBI's Westchester Safe Streets Task Force became involved in an investigation by federal and state authorities in Ohio of a missing child, the Minor, who had been reported missing. KRISCIA VASQUEZ, the defendant, became a person of interest in that investigation.

4. Based on my discussion with law enforcement officers, my review of law enforcement reports, and my participation in the investigation, I have learned the following:

a. KRISCIA VASQUEZ, the defendant, resides at a certain address in Ossining, New York (the "Residence").

b. On or about September 21, 2021, law enforcement officials — including officers with the Ossining Police Department ("OPD") and members of the FBI's Westchester Safe Streets Task Force — and I went to the Residence and spoke with, among others, VASQUEZ and her parents, who confirmed that they reside with VASQUEZ at the Residence. VASQUEZ acknowledged

that she had previously communicated with the Minor but denied having knowledge of his current whereabouts. VASQUEZ was then brought to the OPD station for further questioning.

c. While VASQUEZ was on route to the OPD station, OPD officers obtained the verbal consent of VASQUEZ's parents to search the Residence for the Minor. OPD officers found the Minor hiding in VASQUEZ's bedroom closet.

5. Based on my discussions with law enforcement and my participation in this investigation, I have learned that once KRISCIA VASQUEZ, the defendant, arrived at the OPD station, VASQUEZ was advised of her *Miranda* rights and agreed to speak with law enforcement. VASQUEZ also provided written consent to search her iPhone cellular phone ("the Cellphone") and provided her passcode to access the Cellphone.

6. Based on my discussions with law enforcement and my participation in this investigation, I have learned that law enforcement officers reviewed the contents of the Cellphone and discovered, among other things, the following, in substance and in part:

a. Multiple sexually explicit visual depictions of the Minor received or stored in or about April 2021 through in or about September 2021, including multiple videos and photographs stored within the Cellphone's Snapchat application within a folder entitled "My Eyes Only." These still and video images depicted the Minor in a nude state revealing his genitalia and engaged in masturbation. The "My Eyes Only" folder also includes still and video images of a computer screen on which there are sexually explicit depictions of the Minor, including multiple videos in which the Minor is engaged in masturbation.

b. Multiple sexually explicit visual depictions created in or about August 2021 through in or about September 2021 that depicted the Minor in a nude state revealing his genitalia and which depictions were stored within the Cellphone's photography gallery, in a folder entitled "Recently Deleted."

7. Based on my discussions with law enforcement and my participation in this investigation, I have learned that KRISCIA VASQUEZ, the defendant, made the following statements, in substance and in part, to law enforcement during her post-*Miranda* interview:

a. VASQUEZ and the Minor met online through a video-gaming application and eventually began a romantic relationship with the Minor in or about April 2021. VASQUEZ and the Minor communicated often through social media applications such as Snapchat and Discord.

b. On or about September 19, 2021, VASQUEZ and a friend drove from Yonkers, New York, to the vicinity of the Minor's residence in Ohio. VASQUEZ picked up the Minor and eventually accompanied him back to her Residence in Ossining, New York. The Minor remained in VASQUEZ's bedroom while members of VASQUEZ's family were home so as not to alert family members to the Minor's presence in the Residence.

c. VASQUEZ provided law enforcement with varying, conflicting statements about her knowledge of the Minor's age, but acknowledged that at one point the Minor told her he was 16 years old.

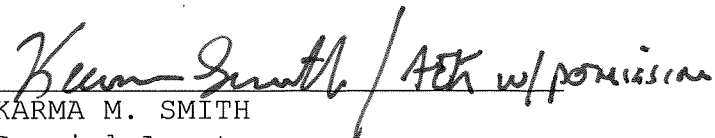
d. VASQUEZ confirmed to law enforcement that the sexually explicit videos and images referenced in Paragraph 6.a. above were, in fact, visual depictions of the Minor.

e. VASQUEZ acknowledged that she encouraged the Minor to send her the sexually explicit depictions of the Minor that were found on the Cellphone, that VASQUEZ and the Minor would communicate their preferences for what kind of depictions each preferred to exchange with each other, and that VASQUEZ and the Minor would often exchange such depictions.


f. VASQUEZ also stated that she had engaged in sexual intercourse with the Minor more than ten times in approximately the 36 hours preceding his discovery by law enforcement on or about September 21, 2021.

8. Based on my discussions with law enforcement and my participation in this investigation, I have learned that after law enforcement discovered the Minor in the Residence, the Minor told law enforcement, in substance and in part, that he is 14 years old. Law enforcement officials in Ohio investigating the missing person report also ascertained that the Minor is 14 years old.

WHEREFORE, the deponent respectfully requests that KRISCIA VASQUEZ, the defendant, be imprisoned or bailed, as the case may be.


KARMA M. SMITH
Special Agent
Federal Bureau of Investigation

Sworn to before me this
21st day of September 21, 2021


THE HONORABLE ANDREW E. KRAUSE
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK